

## **JOINT DECLARATION FOR PATENT APPLICATION**

As below-named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our respective names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD FOR DIFFERENTIATING IRRITABLE BOWEL SYNDROME FROM INFLAMMATORY BOWEL DISEASE (IBD) AND FOR MONITORING PERSONS WITH IBD USING TOTAL ENDOGENOUS LACTOFERRIN AS A MARKER, the specification of which was filed as Serial No. 10/002,842 on November 14, 2001.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed? Y/N	Certified Copy Attached? Y/N

We hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below:

Application Number(s)	Filing Date (MM/DD/YYYY)
60/248,288	November 14, 2000

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number(s)	Filing Date (MM/DD/YYYY)

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and to file and prosecute any corresponding foreign applications, including any international applications under the Patent Cooperation Treaty or the European Patent Convention: **Joan Optican Herman**, Reg. No. 31,968; William B. Kircher, Reg. No. 22,481; Joseph B. Bowman, Reg. No. 25,807; Peter W. Gowdey, Reg. No. 25,872; Richard R. Johnson, Reg. No. 27,452; Walter R. Brookhart, Reg. No. 29,518; James H. Riley, II, Reg. No. 31,131; Michael B. Hurd, Reg. No. 32,241; Richard D. Jordan, Reg. No. 33,519; Michael J. Gross, Reg. No. 35,528; William P. Jensen, Reg. No. 36,833; Chris Murphy, Reg. No. 39,786; Daniel W. Shinn, Reg. No. 40,810; B. Trent Webb, Reg. No. 40,865; Scott B. Strohm, Reg. No. 42,172; Janine A. Carlan, Reg. No. 42,387; Clinton G. Newton, Reg. No. 42,930; John K. Hsu, Reg. No. 45,563; Ladi Shogbamimu, Reg. No. 46,291; Dennis Danella, Reg. No. 46,653; Greg S. Donahue, Reg. No. 47,531; Justin Krieger, Reg. No. 47,719; Marshall Honeyman, Reg. No. 48,114; Bart A. Starr, Reg. No. 48,386; and Jean M. Guignon, Reg. No. 48,538. Address all correspondence to: **Joan Optican Herman**, SHOOK, HARDY & BACON L.L.P., One Kansas City Place, 1200 Main Street, Kansas City, Missouri 64105-2118, telephone number (816) 474-6550.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature: James Hunter Boone Date 3-25-02  
James Hunter Boone

Residence: Christiansburg, Montgomery County, Virginia  
Citizenship: United State of America  
Post Office Address: 545 Arrowhead Trail  
Christiansburg, Virginia 24073

Inventor's signature: David Maxwell Lyerly Date 3/25/02  
David Maxwell Lyerly

Residence: Radford, Montgomery County, Virginia  
Citizenship: United States of America  
Post Office Address: 204 MacArthur Avenue  
Radford, Virginia 24141

Inventor's signature: Tracy Dale Wilkins  
Tracy Dale Wilkins Date

Residence: Riner, Montgomery County, Virginia  
Citizenship: United States of America  
Post Office Address: 6254 Chestnut Ridge Road  
Riner, Virginia 24149

Inventor's signature: Richard Littleton Guerrant  
Richard Littleton Guerrant Date

Residence: Charlottesville, Albemarle County, Virginia  
Citizenship: United States of America  
Post Office Address: 2507 Northfields Road  
Charlottesville, Virginia 22901



JUL 15 2002

JULY 10, 2002

PTAS

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JOAN OPTICAN HERMAN  
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Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)



\*102083139A\*

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RECORDATION DATE: 04/30/2002

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NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BOONE, JAMES HUNTER

DOC DATE: 04/01/2002

ASSIGNOR:

LYERLY, DAVID MAXWELL

DOC DATE: 04/01/2002

ASSIGNOR:

WILKINS, TRACY DALE

DOC DATE: 04/01/2002

ASSIGNOR:

GUERRANT, RICHARD LITTLETON

DOC DATE: 04/01/2002

ASSIGNEE:

TECHLAB, INC.  
1861 PRATT DRIVE, SUITE 1030  
BLACKSBURG, VIRGINIA 24060-6364

SERIAL NUMBER: 10002842

FILING DATE: 11/14/2001  
PATENT NUMBER:

RL  
T LAB 79219

SHAREILL COLES, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

4/30/02

05-09-2002

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(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

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DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

102083139

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

James Hunter Boone, David Maxwell Lyerly,  
Tracy Dale Wilkins, Richard Littleton GuerrantAdditional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other \_\_\_\_\_

Execution Date: 4/1/02

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 10/002,842

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Joan Optican Herman

Internal Address: \_\_\_\_\_

Street Address: Shook, Hardy &amp; Bacon L.L.P.

1200 Main Street

City: Kansas City State: MO Zip: 64105

6. Total number of applications and patents involved:  1

7. Total fee (37 CFR 3.41).....\$ 40.00

 Enclosed Authorized to be charged to deposit account

## 8. Deposit account number:

19-2112

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FINANCE SECTION

## 9. Signature.

Jean Dickman

Name of Person Signing

4/22/02

Date

Total number of pages including cover sheet, attachments, and documents: 

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents &amp; Trademarks, Box Assignments

Washington, D.C. 20231

05/09/2002 LMUELLER 00000015 10002842

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**ASSIGNMENT**

WHEREAS, we, James Hunter Boone, of 545 Arrowhead Trail, Christiansburg, in the County of Montgomery, and State of Virginia 24073, David Maxwell Lyerly, of 204 MacArthur Avenue, Radford, in the County of Montgomery, and State of Virginia 24141, Tracy Dale Wilkins, 6254 Chestnut Ridge Road, Riner, in the Country of Montgomery, and State of Virginia 24149, and Richard Littleton Guerrant, 2507 Northfields Road, Charlottesville, in the Country of Albermarle, and State of Virginia 22901, have invented certain new and useful improvements in

**METHOD FOR DIFFERENTIATING IRRITABLE BOWEL  
SYNDROME FROM INFLAMMATORY BOWEL DISEASE (IBD)  
AND FOR MONITORING PERSONS WITH IBD USING TOTAL  
ENDOGENOUS LACTOFERRIN AS A MARKER**

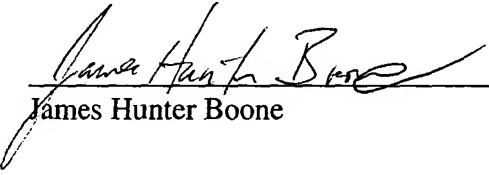
for which we have made application for Letters Patent of the United States, Serial No. 10/002,842, filed November 14, 2001; and

WHEREAS, TechLab, Inc., a corporation duly organized under the laws of the State of Virginia, and having its principal place of business at 1861 Pratt Drive, Suite 1030, Blacksburg, County of Montgomery, and State of Virginia 24060-6364, is desirous of acquiring an interest in, to and under said invention, said application and any and all Letters Patent which may be granted for or upon said invention in the United States of America and all countries foreign thereto;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we, James Hunter Boone, David Maxwell Lyerly, Tracy Dale Wilkins, and Richard Littleton Guerrant, have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said TechLab, Inc. the full and exclusive right, title and interest, throughout the world, in, to and under said invention as fully set forth and described in the above-identified application; in, to and under said application; in, to and under any and all refilings, divisions and continuations of said application;

in, to and under any and all Letters Patent of the United States of America which may issue from said application, refilings, divisions and continuations; in, to and under any and all reissues of said Letters Patent of the United States of America; in, to and under any and all applications for Letters Patent upon said invention which may hereafter be filed in any and all countries foreign to the United States of America; in, to and under any and all refilings, divisions and continuations of said foreign-filed applications; in, to and under any and all Letters Patent of countries foreign to the United States of America, which may issue from the said foreign-filed applications, refilings, divisions and continuations; and in, to and under any and all extensions of, and additions to, said Letters Patent of countries foreign to the United States of America, the same to be held and enjoyed by said TechLab, Inc. for its own use and behoof, and for its successors, legal representatives and assigns, to the full end of the term for which said Letters Patent may be granted, and we do hereby authorize and request the Commissioner of Patents to issue the said Letters Patent in accordance with this assignment.

EXECUTED this 25 day of March, 2002.

  
James Hunter Boone

STATE OF VIRGINIA :  
: ss.  
COUNTY OF Montgomery.

Before me personally appeared James Hunter Boone, to me known to be the person described in, and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth, on the day and year aforesaid.

  
Waverly A. Gwin

S E A L

Notary Public

My Commission Expires:

November 30, 2004

EXECUTED this 25 day of March, 2002.

David Maxwell Lyerly  
David Maxwell Lyerly

STATE OF VIRGINIA :  
: ss.  
COUNTY OF Montgomery

Before me personally appeared David Maxwell Lyerly, to me known to be the person described in, and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth, on the day and year aforesaid.

Wanessa R. Guin  
Notary Public

S E A L

My Commission Expires:

November 30, 2004

EXECUTED this 25 day of March, 2002.

Tracy Dale Wilkins  
Tracy Dale Wilkins

STATE OF VIRGINIA :  
: ss.  
COUNTY OF Montgomery

Before me personally appeared Tracy Dale Wilkins, to me known to be the person described in, and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth, on the day and year aforesaid.

Wanessa R. Guin  
Notary Public

S E A L

My Commission Expires:

November 30, 2004

EXECUTED this 1<sup>st</sup> day of April, 2002.

Richard L. Guerrant  
Richard Littleton Guerrant

STATE OF VIRGINIA

COUNTY OF Albemarle

Before me personally appeared Richard Littleton Guerrant, to me known to be the person described in, and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth, on the day and year aforesaid.

S E A L

E. M. Loach  
Notary Public    ELIZABETH M. LOACH

My Commission Expires:

Sept. 30, 2002